

CITY OF HOLDFAST BAY

Minutes of the Ordinary Meeting of Council of the City of Holdfast Bay held in the Council Chamber, Glenelg Town Hall, Moseley Square, Glenelg, on Tuesday 28 February at 7:02pm.

PRESENT

His Worship the Mayor	A K Rollond
Deputy Mayor	R A Clancy
Councillor	R M Bouchée
Councillor	P W Dixon
Councillor	K M Donaldson
Councillor	L R Fisk
Councillor	J D Huckstepp
Councillor	S C Lonie
Councillor	T D Looker
Councillor	S Patterson – 7.54pm.
Councillor	R C Patton
Councillor	A P Roe
Councillor	L J Yates
Chief Executive Officer	J P Lynch
General Manager City Assets	S G Hodge
General Manager City Services	R A Cooper
General Manager Corporate Services	I S Walker

1. Opening

His Worship the Mayor declared the meeting open at 7.02pm.

2. Kurna Acknowledgement

With the opening of the meeting His Worship the Mayor stated:

We acknowledge Kurna people as the traditional owners and custodians of this land.

We respect their spiritual relationship with country that has developed over thousands of years, and the cultural heritage and beliefs that remain important to Kurna People today.

3. Prayer

His Worship the Mayor requested all present to pray and read the following Prayer:

Heavenly Father, we pray for your presence and guidance at our Council Meeting.

Grant us your wisdom and protect our integrity as we carry out the powers and responsibilities entrusted to us on behalf of the community that we serve.

4. Apologies

4.1 Apologies Received Councillor Patterson

4.2 Absent Nil

5. Items Presented to Council Nil

6. Declaration of Interest

Members were reminded to declare their interest before each item.

7. Confirmation of Minutes

C280212/406

Councillor Lonie moved and Councillor Huckstepp seconded that the minutes of the Ordinary Meeting of Council held on 14 February 2012 be taken as read and confirmed.

CARRIED**8. Questions by Members**

8.1 Without Notice

8.1.1 Parking Availability Signs

Councillor Yates asked a question regarding the Parking Availability Message Boards as they are not currently working.

The Chief Executive Officer, Mr J Lynch provided a response.

8.1.2 Renaming of Proclamation Day to Settlement Day

Councillor Looker asked a question regarding the City of Unley Campaign to rename Proclamation Day, Settlement Day.

His Worship the Mayor, Dr K Rollond provided a response.

8.1.3 Broadway Kiosk

Councillor Bouchee asked for an update on Broadway Kiosk legal action.

The General Manager Corporate Services, Mr I Walker provided a response.

8.2 With Notice

8.2.1 Question Regarding Mayor's Comments

In accordance with his notice, Councillor Looker asked the following question:

In consideration of the Mayor's; threat to resign; his public promise not to attend Council budget preparations; unsubstantiated claims that Council administration are not competent and have been 'exceedingly devious'; purposely misleading public statements regarding a property sale; promotion of a campaign against the Council he leads; public statement that he will not follow meeting regulations to the point of 'going to jail', could the Mayor provide a written response as to how he can rebuild working relationships with Councillors and administration to meet his obligations as Principal member under the Local Government Act and justify his nearly \$60,000 annual allowance.

At the time of publication of the agenda His Worship the Mayor has not provided a response to this Question on Notice.

8.2.2 Domestic jet aircraft flight paths over the Broadway Glenelg South

In accordance with his notice, Councillor Patterson asked the following question:

1. **Tonight (9 February 2012) for the first time since I have lived in Glenelg, from about 9pm there have been at least 6 or 7 jets flying down/above Broadway (apparently) on route to the eastern seaboard. There seemed to be no climatic event that would force them to change their standard route which is to fly south and then head east over Port Stanvac. I wouldn't have thought any part of Somerton Ward is part of the domestic flight paths.**
2. **A follow up question I have relates to the crash of American Airlines Flight 587 on 12th November 2001 just after take off into the Queens neighbourhood, New York. Flight 587 took off soon after a Japan Airlines 747 and encountered two wake vortices generated by JAL flight 47. In response to this the pilot responded with excessive rudder movements to try and counter act the turbulence, with the end result being the vertical stabiliser fell off and the plane crashed. The investigation found pilot error was the cause of the crash and both Airbus and Boeing later issued technical bulletins advising on rudder manoeuvring.**

Because the flight path of the domestic jet on February 9 did take it over a very similar path on each loop the first question that should be asked relates to the time interval between each loop.

Has sufficient time elapsed between each training loop to ensure any effects of turbulence created by the previous loop have dissipated?

If turbulence will still be present, have the pilots received sufficient training to command the plane correctly in such circumstances, in light of the fact that the plane's altitude over residential housing was between 1200 to 1600 ft.

In summary, I have no problem with the training of pilots as the better trained the pilots are, the safer airline travel in Australia is. I am more checking that there is no potential for oversight within this training program that could put residents at risk.

General Manager Corporate Services, Mr I Walker's Answer

1. AirServices Australia 'Noise Complaints and Information Service' has been very helpful in providing information about the flights taken over the area referred to by Cr Patterson. The flight pattern was first thought to be due to testing of instrument landing systems, but further follow up showed that they were pilot training flights. Eleven flights of this nature were flown in the month of February (up to the 20th February).

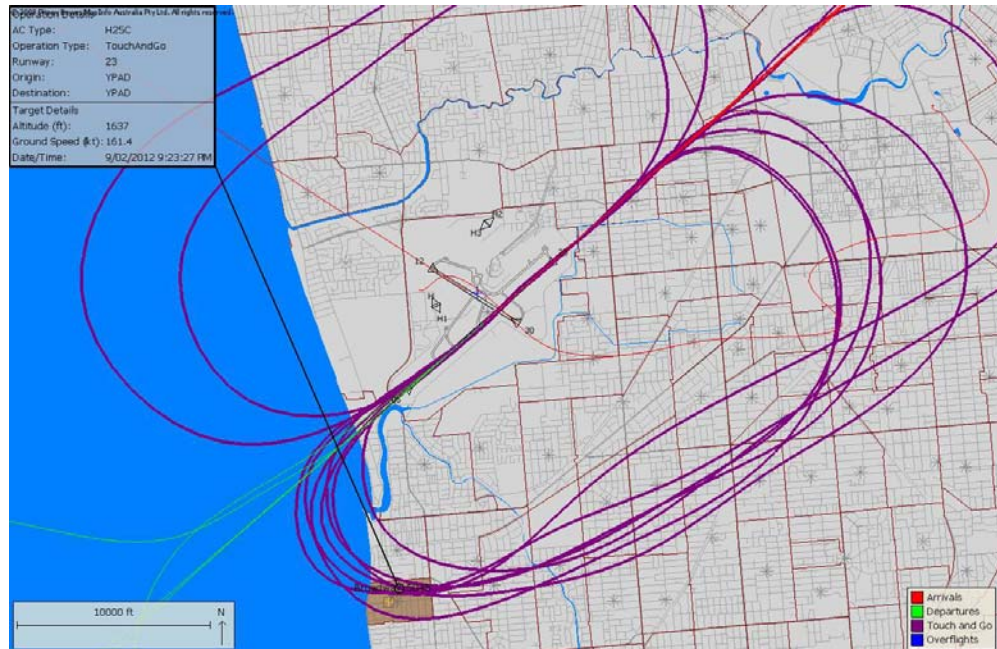
The Information Service explained that the time of day is likely to have been *'an operational decision made between the aircraft operators and ATC (sic) to allow for night time visual training, and normal airport operations.*

The H25C aircraft is a business jet style aircraft, and this aircraft performed this type of operation eleven times at Adelaide Airport in the month of February, albeit all others were at earlier times of the day.

Also because the aircraft was performing touch and go operations using runway 23 the aircraft was approaching from West Richmond and departing

towards Glenelg north and banking around over Glenelg, Glengowrie etc and the departure leg can be quite noisy.'

A map is attached indicating the path of flights, with the Broadway marked by a yellow X



2. Council is not able to comment on this question as this is the responsibility of the Civil Aviation Authority.

9. Member’s Activity Reports

9.1 Activity Report – Councillor Looker

Councillor Looker reported that he and Councillor Donaldson attended the Holdfast Bay Community Centre Board meeting on 21 February 2012.

Councillor Looker attended the YMCA 160th celebration at the SA Aquatic Center

Councilor Looker reported that he attended the Australian Institute of Administrative Law seminar with State Ombudsman Richard Bingham

9.2 Murray Darling Association

Councillor Yates reported that she had attended a meeting of the Murray Darling Association.

9.3 Metropolitan Seaside Councils Committee

Councillor Dixon reported that he attended Metropolitan Seaside Council’s Committee meeting.

10. Public Presentations

10.1 Petitions Nil

10.2 Presentations

10.2.1 Living Beaches Presentation

Mr Rob Tucker made a presentation to council on the Living Beaches project.

Councillor Roe left the chamber at 7.32pm.

Councillor Roe rejoined the chamber at 7.36pm.

10.3 Deputations Nil

11. Motions on Notice

11.1 Norman Waterhouse Governance Seminar

In accordance with his notice:

C280212/407

Councillor Looker moved and Councillor Fisk seconded that Councillor Looker attends the Governance seminar on 29 March 2012, held by Norman Waterhouse Lawyers at a cost of \$195.00.

CARRIED

12. Adjourned Matters Nil

13. Reports of Management Committees, Subsidiaries and the Development Assessment Panel

13.1 Minutes – Development Assessment Panel (Report No: 46/12)

Council's Development Assessment Panel is established under the Development Act 1993.

The purpose of the panel is to:

- act as a delegate of Council and make decisions on development applications in accordance with the requirements of the Development Act;
- provide advice to Council on trends, issues and other matters relating to planning or development that have become apparent during the assessment of development applications;
- perform other roles, except policy formulation, as assigned by Council;
- consider and report on matters before the Environment, Resources and Development Court as a means to resolving judicial appeals.

The minutes of the Development Assessment Panel meeting held 14 December 2011 and 25 January 2012 are presented to Council for information.

In accordance with its resolution on 27 November 2009, Council is also asked to determine the future of any planning appeal matters should they eventuate. Elected Members requiring a copy of the Development Assessment Panel Agenda, including reports and/or access to the Development Application files, are asked to contact Council Administration prior to the Council Meeting.

C280212/408

Councillor Clancy moved and Councillor Huckstepp seconded that the minutes of the Development Assessment Panel meetings held on 14 December 2011 and 25 January 2012 be received.

CARRIED

13.2 Information Report – Southern Region Waste Resource Authority – February 2012 (Report No: 44/12)

Southern Region Waste Resource Authority (SRWRA) is a regional subsidiary established by the Cities of Onkaparinga, Marion and Holdfast Bay (the “constituent councils”), pursuant to Section 43 of the Local Government Act, 1999.

Under its charter, SRWRA is responsible for providing and operating waste management services on behalf of the constituent councils and ensuring that a long term waste management strategy exists in the southern region of Adelaide.

Pursuant to its charter all agendas, reports and minutes remain confidential, unless the Board resolves that the document is to be available to the public. Presented for the information of Elected Members is the information which the SRWRA Board has released from its meeting held on 6 February 2012.

C280212/409

Councillor Bouchee moved and Councillor Lonie seconded that information report of the Southern Region Waste Resource Authority for its meeting held 6 February 2012 be received and noted.

CARRIED

13.3 Minutes – Alwyndor Aged Care (Report No: 49/12)

The Alwyndor Aged Care Management Committee was established to manage the affairs of Alwyndor Aged Care Facility. The Council has endorsed the Committee’s Terms of Reference and given the Committee delegated authority to manage the business of Alwyndor Aged Care Facility.

The Minutes of the Alwyndor Aged Care Management Committee for December 2011 and February 2012 are provided for information.

C280212/410

Councillor Clancy moved and Councillor Lonie seconded that the Minutes of the Alwyndor Aged Care Management Committee for December 2011 and February 2012 be noted by Council.

CARRIED

13.4 Minutes – Jetty Road Mainstreet Management Committee (Report No: 47/12)

The Jetty Road Mainstreet Management Committee (JRMMC) has been established to undertake work to benefit the traders on Jetty Road, Glenelg, using the separate rate raised for this purpose. The Council has endorsed the committees Terms of Reference and given the committee delegated authority to manage the business of the committee.

The Minutes of the Jetty Road Mainstreet Management Committee meeting held 2 November 2011, are attached and presented for Councils’ information.

C280212/411

Councillor Patton moved and Councillor Yates seconded that the following minutes of the Jetty Road Mainstreet Management Committee held 1 February 2012 be received and the following recommendations numbered 1 - 16 be noted.

5.1 Strategic Plan - Jetty Road Mainstreet Action List

- 1 That the Jetty road cows be repainted by the Changing Canvas with a budget of \$600.**

- 5.2 *Budget*
- 2 That the Finance Report be received and noted.**
- 5.3 *Marketing Activities*
- 3 That the Marketing Campaign for April – July 2012 be approved to the value of \$65,000.**
- 5.4 *Precinct Update*
- 4 That the information was received and noted.**
- 5.5 *Mosaic Mural Wall*
- 5 That JRMMC support a project to produce a mosaic wall to run the length of the tram wall.**
- 6 That that the cost of the project be split equally between JRMMC and the City of Holdfast Bay.**
- 7 That three quotes are to be obtained.**
- 8 That the cost of the project is not to exceed \$20,550.**
- 5.6 *Summer Sundays at The Bay*
- 9 That the City of Holdfast Bay be event manager for the Summer Sundays At The Bay Event.**
- 5.7 *Traders Using the Mainstreet Office to Promote their Business and Offers*
- 10 That the Mainstreet Office is not to be used for individual business and offers promotion.**
- 11 That the Mainstreet Office is to be used for precinct promotion only.**
- 5.8 *Review of Holidays Act 2010*
- 12 That the traders be emailed information on Review of Holidays Act 2010 and invite them to respond directly to Dr Duncan McFetridge MP.**
- 5.9 *Itinerant Trading in Glenelg*
- 13 That this be passed to Council.**
- 5.11 *Meeting Attendance and Schedule of all Meetings for 2012*
- 14 That information on meeting attendance had been received and noted.**
- 15 That meeting dates had been received and noted.**
- 6.1 *Jetty Road Footpath Cleaning*
- 16 That JRMMC would provide a letter of confirmation to the Council that it will fund cleaning of Jetty Road footpaths.**

CARRIED

14. Reports by Officers

14.1 Items in Brief (Report No: 48/12)

Report No: 48/12 was presented detailing items which were presented for the information of Members and did not require a separate resolution.

C280212/412

Councillor Dixon moved and Councillor Yates seconded that the report be noted and items of interest be discussed.

CARRIED

14.2 Southern Region Waste Resource Authority Charter Review – City of Onkaparinga Amendment (Report No: 40/12)

Southern Region Waste Resource Authority (SRWRA) is a regional subsidiary established by the Cities of Onkaparinga, Marion and Holdfast Bay (the “constituent councils”), pursuant to Section 43 of the *Local Government Act 1999*.

SRWRA has undertaken a review of its Charter and has sought the approval of the constituent councils to make amendments to its Charter. The City of Onkaparinga as a constituent council has requested that a further amendment be made.

C280212/413

Councillor Huckstepp moved and Councillor Yates seconded that that Council approves the proposed amendments by the City of Onkaparinga to the Charter for Southern Region Waste Resource Authority as contained in Attachment 1 to Report No: 40/12.

CARRIED

14.3 Establishment of an Urban Tree Fund (Report No: 36/12)

The purpose of this report is to seek Council’s approval to establish an Urban Tree Fund where payments can be made by applicants for the removal of Regulated Trees that are granted development approval in lieu of replacement trees being established. The report outlines for Council’s consideration why an Urban Tree Fund should be established and that a request to do so be made to the Minister.

Councillor Dixon left the chamber at 7.43pm.

C280212/414

Councillor Bouchee moved and Councillor Yates seconded:

1. **That approval is sought from the Minister of Planning to establish an Urban Tree Fund pursuant to section 50B of the Development Act 1993 to allow for replacement trees to be planted in more suitable locations where planting is not practical on the site of the tree removal.**
2. **That the Development Assessment Panel (DAP) be advised of the approach determined by Council in relation to the matter of an Urban Tree Fund.**
3. **That continued lobbying of the Minister for Planning and the Department of Planning, Transport and Infrastructure be undertaken highlighting the inadequacy of the \$75 Regulated Tree replacement fee.**

CARRIED

14.4 Property Purchase – Macfarlane Street Glenelg North (adjacent Old Gum Tree Reserve) (Report No: 29/12)

Council purchased a site in Glenelg North in July 2011 with the intention to expand the adjacent Old Gum Tree reserve and dispose a portion of the land to assist the recovery of costs. At the time of purchase, a co-development with Alwyndor for

retirement / independent-living development was being considered. Alwyndor has decided not to pursue this development opportunity and now Council should consider all viable development options for the portion of the site to be disposed. This report provides options for development of the site for Council's direction.

Councillor Dixon rejoined the chamber at 7.46pm.

Councillor Patterson joined the meeting at 7.54pm.

C280212/415

Councillor Looker moved and Councillor Patton seconded:

1. That Council continue to explore residential development options for the site that will provide a high return whilst ensuring a high-quality expansion of the Old Gum Tree reserve.
2. That a further report be presented to Council detailing the various options for development of the site for Council's consideration and direction.
3. That Council authorise expenditure of up to \$100,000 for the demolition of all buildings located on the site and removal of bitumen and soil as recommended by the Environmental Scientist.
4. That Council authorise demolition and site works to commence as soon as practicable to ensure expedient disposal of the developable portion of the site (to reduce the cost of finance).

CARRIED

15. Resolutions subject to formal motions

Nil

16. Urgent Business – Subject to the Leave of the Meeting

16.1 Nomination to the Dog and Cat Management Board

Councillor Clancy has expressed an interest in renominating for the Dog and Cat Management Board – LGA External Position.

C280212/416

Councillor Lonie moved and Councillor Looker seconded that Councillor Clancy be nominated for appointment to the Dog and Cat Management Board.

CARRIED

16.2 Attendance at Meetings with State and Federal Governments

C280212/417

Councillor Bouchee moved and Councillor Patterson seconded that the CEO, Mayor and Deputy Mayor must attend meetings with State and Federal Governments, subject to availability.

CARRIED

17. Items in Confidence

Nil

18. Closure

The Meeting closed at 8.03pm.

CONFIRMED

Tuesday 13 March 2012

MAYOR